

DIMINUTION OF SENTENCE/GOOD TIME PAROLE SUPERVISION
INELIGIBILITY

1. Adjudicated Habitual Felons

Any inmate who has been convicted (or adjudicated delinquent in accordance with R.S. 15:529.1A(1) or 15:529.1D(3)) one or more times of any of the following crimes (it does not have to be the same crime twice) AND has been sentenced as a habitual offender under R.S. 15:529.1 AND the last conviction was committed during the period from 9/16/75 through 9/9/77 AND the sentence specifically denies eligibility for good time credit OR the crime was committed on or after 9/10/77, is not eligible for good time credit.

Solicitation for murder	First degree murder
Second degree murder	Manslaughter
Aggravated battery	Second degree battery
Aggravated assault	Mingling harmful substances
Aggravated rape	Forcible rape
Simple rape	Sexual battery
Aggravated sexual battery	Oral sexual battery
Aggravated oral sexual battery	Intentional exposure to AIDS virus
Aggravated kidnapping	Second degree kidnapping
Simple kidnapping	Aggravated arson
Agg. crim. damage to property	Aggravated burglary
Armed robbery	First degree robbery
Simple robbery	Purse snatching
Extortion	Assault by drive-by shooting
Aggravated crime against nature	Carjacking
Illegal use of weapons or dangerous instrumentalities	

Also:

Simple burglary
A felony theft under R.S. 14:67
Illegal carrying of a weapon under R.S. 14:95 which is a felony
Illegal possession of firearm, etc. under R.S. 14:95.1 which is a felony
Violation of Title 40, Chapter 4, Part X (Controlled Dangerous Substances) which is a felony

(Includes any attempt to commit the above.)

2. Second Offense Crime of Violence

Diminution of sentence shall not be allowed an inmate in the custody of the Department if the instant offense is a second offense crime of violence as defined by La. R.S. 14:2(13) committed on or after August 27, 1994. **La. R.S. 15:571.3D.**

Diminution of Sentence/Good Time Parole Supervision Ineligibility, Cont.

3. Second Offense Specific Class of Sex Crimes

The inmate has been convicted two or more times under the laws of this state of any one or more of the following crimes, where the instant offense was committed on or after August 27, 1994; or the inmate has been convicted two or more times under the laws of this state, any other state, or the federal government of any one or more of the following crimes or **attempts** to commit any of the following crimes when the instant offense was committed on or after August 15, 1999, pursuant to **La. R.S. 15:571.3C(4)**:

Carnal knowledge of a juvenile

Indecent behavior with juveniles

Molestation of a juvenile

Incest

Aggravated incest

Comments: Conviction for an offense in another state and “attempt” to commit one of the above specific sex crimes was added by Act 223 of the 1999 Legislature. Also, please see Numbers 4. and 5. below.

4. Sex Offense-Court Discretion

The inmate is serving a sentence for a sex offense which was committed on or after August 27, 1994, but prior to August 15, 1999, AND the sentencing court denied or placed conditions on eligibility for the earning of good time pursuant to **La. R.S. 15:537**. See attached “List of Sex Offenses.”

5. Sex Offense

The inmate is serving a sentence for a sex offense committed on or after August 15, 1999. See attached “List of Sex Offenses.” (**Act 1209 of the 1999 Legislature**)

6. First Offense Violent Crimes-Court Discretion

The inmate was sentenced to the Department for a crime of violence committed on or after August 15, 1995 and the sentencing court denied or placed conditions on eligibility for the earning of good time. **C.Cr.P. Art. 890.1. (Act 946 of the 1995 Legislature)**

7. Stalking-Court Discretion

The inmate was convicted of a violation of R.S. 14:40.2 and the offense was committed on or after August 15, 1999 and the sentencing court denied eligibility. (**Act 963 of the 1999 Legislature**)

8. Life Sentence

Inmates serving life sentences are ineligible to earn good time. However, those inmates serving life sentences will be credited with good time earned which will be applied toward diminution of their sentences at such time as the life sentence might be commuted to a specific number of years. **La. R.S. 15:571.3B**

Diminution of Sentence/Good Time Parole Supervision Ineligibility, Cont.

9. Fourteen Year-Old Juvenile Life

An inmate who was a fourteen year-old juvenile at the time of the commission of any of the following crimes AND who was sentenced as an adult under the provisions of La. Children's Code Article 857 shall not be confined past his 31st birthday on the instant offense for which he was convicted and sentenced:

First degree murder

Second degree murder

Aggravated kidnapping

Aggravated rape

Armed robbery w/firearm

Aggravated oral sexual battery

Aggravated battery/committed by discharging a firearm

Forcible rape/committed upon a child at least two years younger than the rapist (**Act 1137 of the 1997 Legislature**)

10. Adjudicated Juveniles

The inmate was sentenced to the department for any crime that was committed while under the jurisdiction of the department as a juvenile. Jurisdiction includes juvenile probation pursuant to **La. R.S. 15:571.3D**.

FORFEITURE OF GOOD TIME

1. An inmate who escapes may be required to "forfeit all good time earned on that portion of his sentence served prior to his escape." **La. R.S. 15:571.4B(1)**
2. Parole violators are required to "forfeit all good time earned on that portion of the sentence served prior to the granting of parole." **La. R.S. 15:571.4B(2) (Act 820 of the 1997 Legislature)**
3. Inmates who commit a battery upon an employee of DPS&C or a police officer may be required to "forfeit good time earned on that portion of the sentence served prior to committing the battery of such person, up to a maximum of one hundred eighty days." **La. R.S. 15:571.4B(3)**
4. Inmates who commit serious rule violations in prison may be required to forfeit up to a maximum of 180 days of good time per offense. **La. R.S. 15:571.4B(4) (Act 980 of the 1995 Legislature)**